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South Carolina House of Representatives

# Legislative Update

David H. Wilkins, Speaker of the House

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## Legislative Update, January 31, 1995

### House Week in Review

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The House began--and ended--the third week of the 1995 legislative session by debating a proposed constitutional amendment to limit terms of legislators and statewide-elected constitutional officers. Dozens of amendments were offered to this measure, including, among others, imposition of term limits on the state's congressional delegation; including a combination of service under term limits (i.e., including combined years served in all state offices); and making term limits retroactive. Much of the debate centered on whether these limits should be retroactive (i.e., include prior years of service when these limits become effective). Supporters of retroactivity claimed that legislators should live under the same laws as is required of other South Carolinians, and that therefore there should be no special exemption (i.e., "grandfather clause") for legislators. Opponents, however, claimed that retroactivity would kill the chances of this legislation passing in the Senate and that other states which have passed term limits have not made them retroactive. After a long afternoon of debate, a vote taken on the measure on Tuesday, January 24 revealed 73 members in favor and 5 members in opposition, with other members abstaining from voting the measure. Because this measure was a proposed constitutional amendment, 83 votes were required for passage (i.e., two-thirds of all elected House members), and thus on second reading the measure was 10 votes short of the number needed for passage.

On Wednesday, January 25, the term limits measure came up for third reading in the House. Prior to the vote, several spirited speeches were given from both supporters and opponents of the legislation, with much of the content centering on whether the limits should be retroactive. The vote on third reading was 72 in favor, 22 against, with other members abstaining---still short of the necessary two-thirds majority. Immediately following the vote, a motion was made to reconsider the vote by which the proposal was rejected, and the House agreed to the motion. On Thursday, the House voted to adjourn debate on the term limits proposal until Tuesday, January 31.

On Wednesday night, the General Assembly convened in joint session to hear the first State-of-the-State Address by newly-elected Governor David Beasley. In his address, the governor called for a 5 percent reduction in the expenditures of most state agencies and departments (exempting from this cut the Departments of Corrections, Juvenile Justice, and Education); limiting welfare benefits to a maximum of 2 years; a complete phase-out of residential property taxes without raising or shifting taxes to accomplish this goal; public referendums on proposed tax increases; term limits for state officials; and tougher laws to address crime, especially as pertains

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to juvenile crime. Governor Beasley also emphasized his commitment to further economic development, promoting increased exports and establishment of enterprise zones in distressed areas to create more jobs, and stressed his opposition unfunded mandates, whether imposed by the federal government on state government or imposed by states on local government.



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### Bills Introduced

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Listed in this Update are summaries of some of the bills introduced last week. The bill summaries are arranged in numerical order according to the committee to which the legislation was referred.

#### AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS

Distribution of Fines for Cruelty to Animals to All Animal Humane Societies in an Area (H. 3373, Rep. Seithel). Current law provides that distribution of fines imposed on persons convicted of cruelty to animals must be distributed equally between the municipal deputy who brought the prosecution or the county which prosecuted the offender and the local branch or chapter of the South Carolina Society for the Prevention of Cruelty to Animals. If this legislation is adopted, however, the one-half of the fine remaining after distribution to the municipal deputy or county would be apportioned equally to the local branch or chapter of the South Carolina Society for the Prevention of Cruelty to Animals and other animal humane societies in the municipality.

Smoking Prohibited in Barber Shops and Beauty Salons (H. 3408, Rep. Inabinett). This bill would prohibit smoking in barber shops and beauty salons.

#### EDUCATION AND PUBLIC WORKS

Requirements for Wholesale Motor Vehicle Auctions and Auction License Plates (H. 3365, Rep. Koon). This bill provides requirements for operation of wholesale motor vehicle auctions and issuance of wholesale motor vehicle auction license plates.

The bill defines a "wholesale motor vehicle auction" as an entity in the business of providing auction services in wholesale transactions at its established place of business and which does not buy, sell or own the motor vehicles it auctions in the ordinary course of its business. Before engaging in this business, an application must be filed with the Department of Public Safety, with the application at a minimum identifying individuals who own or control at least 10 percent of the interest of the



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applicant. The license fee is \$50, and the license expires 12 months from the month of issuance. The license applies only to 1 place of business of the applicant and is not transferable to another person or place of business. Each applicant for licensure also must furnish a surety bond in the penal amount of \$15,000, with the bond conditioned upon the applicant or licensee complying with statutes applicable to his license and as indemnification for loss or damage suffered by an owner of a motor vehicle, or his legal representative (such as for fraud practiced by the licensee in the sale or transfer of a motor vehicle). An owner or his legal representative who suffers loss or damage has a right of action against the wholesale motor vehicle auction and against the licensee's surety upon the bond and may recover damages under these provisions. A motor vehicle dealer licensed under these provisions or another jurisdiction may purchase or sell motor vehicles at a wholesale motor vehicle auction, and a person may purchase or sell motor vehicles at a wholesale motor vehicle auction if required by an agency of government or by law. Additionally, if these auctions buy or sell motor vehicles in their own names, then they must comply with provisions of South Carolina law concerning reassignment and delivery of title documents and disclosures to buyers.

The bill lists entities (such as manufacturers, sellers of motor vehicle fleets, finance companies, marine dealers, etc.) which may sell motor vehicles through a motor vehicle auction (provided the motor vehicles are acquired incidental to regular business). The bill also imposes record-keeping requirements on these auctions (e.g., names of buyers or purchasers, vehicle odometer readings, etc.) and makes it a misdemeanor (punishable under the State's Uniform Collection and Enforcement of Taxes Act) for persons to fail to keep adequate records or provide them upon request to the Department of Revenue and Taxation.

The bill also authorizes the issuance of wholesale motor vehicle auction license plates to licensed wholesale motor vehicle auctions. These plates are exclusively for the use of transporting motor vehicles in the course of doing business as a wholesale motor vehicle auction and expire 12 months from the month of issuance. An auction may be issued 2 license plates for the first 20 vehicles auctioned and 1 additional plate for each 50 vehicles auctioned beyond the initial 20 during the preceding year, but not to exceed 100 license plates. The cost of each plate is \$20 annually. For good cause shown, the Department of Revenue and Taxation may issue additional license plates. If an auction has been licensed less than 1 year, the Department must issue a number of license plates based on the estimated number of sales for the coming year.

South Carolina Charter Schools Act of 1995 (H. 3388, Rep. Richardson). This bill provides for the establishment of "charter schools" within the state's public school districts.

These provisions are designed, among other things, to enhance learning opportunities in school communities across the State by ensuring



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schools have rigorous standards for pupil commitment to performance; encourage use of diverse and innovative teaching methods; provide parents and pupils expanded choices in types of education opportunities within the public school system and encourage greater parental and community involvement with public schools.

The bill defines a "charter school" as one which is public, non-sectarian, non-religious, non-home-based, and non-profit, and which operates within a public school district (but which is accountable either to the State Board of Education or to the local school district board of trustees, depending on which entity grants the school its charter). Additionally, a charter school is part of the school district in which it is located (for purposes of the Constitution and laws of this State); is subject to all federal/state antidiscriminatory laws and constitutional provisions (e.g., no discrimination based on race, religion, disability, etc.); must be administered by and governed by a governing body in a manner agreed to by the charter school applicant and the approving body (with the "approving body" being the local school board or State Board of Education); and cannot charge tuition. Enrollment in the charter school must be open to any child residing within the school district; however, if applications for enrollment in the school exceed the number of spaces available, then pupils must be chosen via a random selection process.

The bill exempts charter schools from all provisions of laws and regulations applicable to a public school, school board or district, except for those provisions listed in this act, and imposes several requirements on operations of charter schools. Among other things, these schools must adhere to the same health and safety requirements as apply to public schools operating in the same school district; not hire noncertified teachers in a ratio which is higher than 20 percent of its entire teacher staff; and cannot enroll a pupil who is not a South Carolina resident (except for foreign exchange students who are not American citizens).

An applicant wishing to form a charter school must organize the school as a nonprofit corporation under South Carolina law; elect a charter committee (i.e., governing board) for the school; and submit a written charter school application to either the State Board of Education or the local school board of trustees for the school district in which the school will be located. The application must be a proposed agreement which is required to include a number of provisions, including, among others, a description of the planned facilities of the school and how such facilities will be obtained; the goals, objectives and pupil achievement standards to be achieved; the school's plan for evaluating pupil achievement and teacher performance; and a description of the governance and operation of the school. The application must be sent for approval to either the local school district board of trustees or the State Board of Education. If the application is denied by the local school board, denial may be granted only if the proposed charter school does not meet the provisions of this act; however, the charter applicant may appeal the



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decision to the State Board of Education or may amend the application to confirm with the reasons for denial and reapply to the approving authority. If the State Board finds that the local school district's decision (to deny the application) was contrary to this act, then the State Board must remand the final decision to the local board with instructions to approve or renew the charter application. The decision made by the State Board of Education is final and not subject to appeal or review by the courts. An approved charter application constitutes an agreement, and the terms must be the terms of the contract between the charter school and the approving body.

The bill also allows an existing public school to be converted into a charter school if 2/3 of the school's faculty and instructional staff, 2/3 of parents/legal guardians of students enrolled at the school, and a majority of members of the local school district board agree with filing an application with the State Board of Education for conversion and formation of that school into a charter school. If the application for a conversion of an existing public school identifies existing school facilities to be occupied by the charter school, then the school district where the charter school is located must allow the charter school to convert the facilities for use as a charter school. The school district and the charter school must enter into a lease agreement charging a reasonable rent for the facilities. A converted charter school must offer at a minimum the same grades or nongraded education appropriate for the same ages and education levels of pupils as offered by the school immediately before conversion.

Charters for these schools may be approved or renewed for a period not to exceed 3 school years. The bill lists information (i.e., student progress and school financial information) to be included in the renewal application and lists conditions under which a charter may be revoked or not renewed. Upon dissolution of a charter school, its assets must be distributed in the manner as required by the South Carolina Nonprofit Corporation Act of 1994.

The bill allows teachers at public schools within the district where the charter school is located to be employed by the charter school; upon the teacher's request, he/she must be granted a 1-year leave of absence by the school district to teach at the charter school (with the leave of absence subject to renewal for no more than 2 additional years). The bill provides for a teacher's seniority, vesting and benefits rights while employed in the charter school, and also provides that an employee returning to the school district after a leave of absence to teach at a charter school must have at least the same employment status as existed when he/she took leave to teach at the charter school.

Pupils enrolled in a charter school must be included in the pupil enrollment of the district within which the pupil resides, and each student in the district must be credited with an equal amount of funding for his or her education, subject to appropriate student-based cost



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formulas. The State Department of Education must determine the amount of state funds to which the charter school is entitled and direct state officials to transmit these funds to the charter school. The bill also allows the governing body of a charter school to accept gifts, donations or grants of any kind made to the school and expend or use these gifts, etc. with the conditions as prescribed by the donor. Charter schools also are exempt from all state and local taxation on their earnings and property.

The bill also requires the State Board of Education to annually prepare a report and evaluation for the Governor and General Assembly on performance of charter schools, their relationship to other school reform efforts, and suggested changes in state law necessary to improve the charter school program. The Board also must compile evaluations of charter schools received from local school boards of trustees and issue a report to the General Assembly on its findings by July 1, 1998.

The bill also establishes a charter schools stimulus fund, a separate fund within the state general fund to provide financial support to charter school applicants and charter schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures. This fund may consist of grants, gifts, devises and donations from any public or private source or monies appropriated by the General Assembly for such purpose. The State Department of Education is to administer and authorize any disbursements from this Fund. Each qualifying charter school applicant or charter school may be awarded an initial grant not exceeding \$100,000 during or before the first year of the charter school's operation. Additionally, applicants and charter schools receiving these initial grants may apply to the Department of Education for an additional grant not exceeding \$100,000. If, however, an applicant for a charter school receives an initial and/or additional grant but does not begin school operations within the next 12 months, then the applicant must reimburse the Department of Education the grant amount plus interest calculated at 10 percent per annum.

Finally, the State Department of Education, in conjunction with the Budget and Control Board, must annually publish a list of vacant and unused buildings and portions thereof that are owned by the State or school districts and which may be suitable for operation of charter schools. However, these provisions do not require the owner of a building on such list to sell or lease all or any portion of the building to a charter school or to any other prospective buyer or tenant.

Special License Plates for County Veterans Affairs Officers (H. 3410, Rep. McAbee). This bill allows for the issuance of special license plates for county veterans affairs officers. Only 1 plate may be issued to an officer for a private vehicle registered in his name. The fee for this plate is \$30 biennially, in addition to the regular motor vehicle registration fee. The plate must be issued or revalidated biennially for the regular registration and licensing period.

## JUDICIARY

Member of General Assembly May Not Cast a Vote for Himself When a Candidate for an Office That Is Elected by the General Assembly (H. 3345). This bill prohibits a member of the General Assembly from casting a vote for himself in an election in which he is a candidate for an office of honor or profit that is elected by the General Assembly.

Term Limitations for Legislators (H. 3347, Rep. Rogers). This bill would limit legislators to 12 consecutive years in office---6 consecutive two-year terms in the House and 3 consecutive four-year terms in the Senate. A member of either body serving in office at the time these provisions are effective and who has served at least 12 consecutive years in his respective chamber may continue to serve his then-current term, after which he must cease to be a member of that body for at least 1 intervening term. The serving of a partial term after filling a vacancy is not considered a 2-year term for purposes of these provisions.

Use of Official Position or Office for Financial Gain (H. 3348, Rep. Kirsh). This bill provides that the ongoing receipt of benefits or economic interests received after an action has been taken to provide for these benefits or economic interests is a violation of the current prohibition against public officials, members or employees from using their official position or office for financial gain. This applies regardless of the date of the decision to provide for these benefits or interests.

Impoundment of Uninsured Motor Vehicles (H. 3367, Rep. Cromer). This bill requires a law enforcement officer, upon his determination that a motor vehicle subject to registration in South Carolina is being operated without insurance, to have the vehicle removed to a place a safety (such as a garage or automobile pound.) The vehicle must remain impounded at such place if the operator is the registered owner of the vehicle or the vehicle is not properly registered; or proof of financial security is not produced; or in cases where a person other than the operator is the registered owner and that person or another properly licensed and authorized to possess the vehicle is not present. The vehicle also must be entered into the statewide law enforcement information network as an impounded vehicle.

The impounded motor vehicle must be under the custody of the "local authority" (i.e., municipality in which the motor vehicle was seized, or the Department of Parks, Recreation and Tourism or a public authority or commission if seized on property under the jurisdiction of these agencies). The vehicle cannot be released until the person redeeming it has furnished proof of registration and financial security; payment has



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been made for reasonable costs of removal and storage of the vehicle (with payment not required in limited circumstances, such as if the vehicle was stolen); and the owner (or other person redeeming the vehicle) has a driver's license or privilege to operate a motor vehicle in South Carolina. If the vehicle remains impounded for 30 days, the vehicle's owner (and if applicable, lienholder) must be informed that he has 30 days from the date this notice is given to retrieve the vehicle or else it will be forfeited. A proceeding to decree such forfeiture may be brought by the local authority in the court of common pleas where the vehicle was stored. When the court is satisfied that forfeiture is warranted, it must enter a decree decreeing such forfeiture; however, before such entry, the court may authorize release of the vehicle (if the owner meets requirements of this act such as proof of financial security) if the owner shows good cause for failure to retrieve the vehicle in a timely manner. A motor vehicle forfeited under these provisions becomes the property of the local authority, subject to any lien recorded before seizure.

The bill also provides for access to impounded vehicles by owners or their designees to take possession of personal property therein and obtaining proof of registration, financial security, title or documentation of it. Costs for housing impounded vehicles are to be paid from a fund consisting of proceeds from vehicles ultimately sold pursuant to this act. The fund is controlled by the Director of the Department of Revenue and Taxation and must be used to pay local garages and automobile pounds their usual fees for housing those vehicles. If however, such a vehicle is of no substantial value, then it must be sold for scrap metal as any other or similar vehicle having no value is disposed.

#### Welfare Reform Measures (H. 3368 and H. 3369, Rep. Shissias).

During the summer and fall of 1993, a task force of legislators, representatives of state agencies and private citizens performed a comprehensive study of the state's welfare system, with the task force requested to study this system and make recommendations for improving it. Out of the task force's work came two joint resolutions directed at improving the state's welfare system--H. 4835, the South Carolina Self-Sufficiency and Parental Responsibility Act, and H. 4837, the South Carolina Welfare and Administrative Reform Act. Though not identical, both measures were aimed at encouraging welfare recipients to become self sufficient (through acquisition of assets, waivers of certain federal rules, etc.) while deterring abuses of the welfare system. The resolutions directed the Department of Social Services (DSS) and the Department of Health and Environmental Control (DHEC) to expand several programs and seek waivers from federal rules to change the methods by which various public assistance and family planning programs are administered.

Both H. 4835 and H. 4837 were approved by the House last April and subsequently sent to the Senate. Both measures, however, remained in the Senate General Committee at the end of the 1994 session. These welfare



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reform measures have been reintroduced this session as H. 3368 and H. 3369, with summaries of these proposals as follows:

H. 3368, titled the "South Carolina Welfare Reform Act of 1995", is virtually identical to this measure as passed by the House in 1994 (in H. 4837), with the only difference being that H. 3368 (unlike H. 4837) does not contain a provision requiring the parent or custodian of a child who receives child support to make an accounting to the paying parent and/or the court of expenditures made from the child support received. (A bill to require the parent or custodian to account for child support expenditures has been introduced this session under H. 3283.) Provisions of H. 3368 are divided into 5 categories---state policy, self-sufficiency initiatives, preventive services, education initiatives, and administrative reforms.

In the area of state policy, the joint resolution declares it is State Policy that the welfare system be structured to encourage families in poverty to maximize their potential of becoming self-sufficient, encouraging individual responsibility by providing tools to become self-sufficient while discouraging abuse of the system through fair and meaningful sanctions.

With regard to self-sufficiency initiatives, the joint resolution directs DSS to seek a federal waiver to allow the Department to institute more meaningful sanctions on AFDC clients who refuse to participate in the DSS Work Support Program, with examples of sanctions as follows: termination of benefits (AFDC, food stamps and Medicaid) for at least 3 months upon a second refusal to participate, and permanent termination upon a fourth refusal. Sanctions would apply to clients receiving AFDC as of July 1, 1995, and to clients applying for AFDC on or after that date. Additionally, DSS is directed to apply for a federal waiver allowing the State to exclude interest income and dividends in determining eligibility and payment amounts for AFDC. For purposes of a pilot project in the Trident Area (Berkeley, Charleston and Dorchester Counties) and in Barnwell County, DSS must apply for federal waivers (1) for development of a pilot project placing a ceiling on rent and other federal rental subsidy programs, and (2) allowing the State to exclude income earned by a minor child attending school when determining eligibility or payment amount for AFDC. Furthermore, DSS is directed, in conjunction with the Department of Public Safety and county and local governments, to endorse local efforts to develop a statewide network of mass transit systems (to provide reliable transportation for AFDC families and encourage participation in DSS Work Support Program).

As for preventive services, DHEC is directed to establish a task force of reproductive health care providers and professionals to develop incentives to increase physician participation in the Medicaid program (so that Medicaid clients have better access to comprehensive family planning and prenatal care). The joint resolution directs the Department of Health and Human Services Finance Commission to establish a task force to explore ways to provide support and funding for a statewide teen pregnancy council



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coordinator. The State, as funding is available (and to assist AFDC families in directing their efforts to becoming economically stable and financially independent, instead of diverting resources to health problems) must enact various provisions to improve clients' access to health care. Among other things, these provisions must provide greater access to and place emphasis on early and continuous prenatal care; promote childhood immunizations; and provide school nurses to increase access to primary care and better identification and referral of health problems among children.

As pertains to education initiatives, DSS is directed to develop simplified AFDC, Medicaid and food stamp application forms understandable at the 3rd grade level. Additionally, improvements must be made for purposes of sharing and exchange of information on clients and services (e.g., implementation of statewide computer system, adoption of certain data standards, etc.). DSS and the Department of Health and Human Services Finance Commission must develop a voucher management system for child day care that will increase the number of child care slots for AFDC clients by maximizing state and federal funds and that will provide a continuum of providers and services, and develop on-site child care centers at state technical education schools and ease liability concerns for companies willing to start day care centers. Also directs DSS to encourage day care providers to offer day care services during second and third shift time periods.

In the area of administrative reforms, DSS is directed to require all children between ages 16 and 18 who are recipients of AFDC benefits and who have not completed high school to attend school as a condition of continued AFDC eligibility. Also, DSS and the Department of Education are to study the compulsory age for school attendance and evaluate and make recommendations to the General Assembly concerning increasing the mandatory attendance age from 16 to 17 or 18. DSS in conjunction with the Department of Education must work to promote access to continuing education and adult education programs to AFDC clients and to promote school-to-work programs linking at-risk secondary school students to the workplace and work-related postsecondary education. DSS in conjunction with the State Board for Technical and Comprehensive Education must work with businesses and industries to design curriculums to produce students with skills needed by such businesses and industries and develop curriculums that target and train AFDC clients for top growth occupations of the future. Finally, DSS, in conjunction with the Budget and Control Board's Division of Human Management, must develop a program to target, train and hire AFDC recipients to work in child support enforcement and other appropriate positions in the department or other state agencies.

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H. 3369, titled the "South Carolina Self-Sufficiency and Parental Responsibility Act of 1995", is virtually identical to this measure as passed by the House in 1994 (under H. 4835), except that, unlike the



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House-passed version of H. 4835, H. 3369 does not contain a provision limiting welfare recipients to a maximum 36 months' of benefits (although a bill to establish a 3-year time limit for welfare benefits has been introduced this session under H. 3025, currently pending in the House Judiciary Committee). This joint resolution is divided into 4 areas---state policy, self-sufficiency, self-sufficiency pilot project, and parental responsibility.

As for state policy, H. 3369 (like H. 3368) declares it to be State Policy that the South Carolina welfare system be structured to assist families in poverty to maximize their potential to become self-sufficient, encouraging individual responsibility by providing tools to achieve self-sufficiency while also deterring abuse of the welfare system through fair and meaningful sanctions.

In the area of self-sufficiency, the joint resolution directs the Work Support Program (a job placement program for AFDC recipients) currently administered by DSS in 27 counties, be expanded to include all 46 counties of the state. Also, DSS must apply for a federal waiver authorizing a transition program for employed AFDC clients, reducing economic benefits gradually each quarter after the family's income exceeds the net income allowed for AFDC eligibility (with the waiver assuring continued AFDC day care and Medicaid benefits). This provision is designed to promote stability in employment, assisting employed clients who because of their income would be ineligible for benefits but lack sufficient income or earning power to avoid a return to welfare following abrupt termination of AFDC benefits. In the first quarter, the family would receive a grant of 20 percent of the maximum AFDC award for the family size, with the percentage reduced to 15 percent the second quarter, 10 percent the third quarter, and 5 percent the last quarter. Also directs DSS to apply for a federal waiver to authorize DSS to remove the \$1,500 limit on value of a client's car, so as to allow an AFDC family to own one vehicle without regard to value.

DSS also is directed to apply for a federal waiver to revise its Work Support Program and AFDC program to implement a self-sufficiency pilot project in the Charleston area (i.e., Berkeley, Charleston and Dorchester Counties) and in Barnwell County, providing individualized case management which, among other things, would consolidate all work support functions for AFDC clients under DSS and charge DSS with responsibility for placing AFDC clients into meaningful employment; identify the time frame necessary for each client to complete an individualized plan for self-sufficiency; and provide community service employment to clients who successfully complete their individualized plans but no jobs are available for employment. Additionally, clients refusing to comply with their individualized plans would receive progressively tougher sanctions, depending on the number of refusals. As examples, a client refusing to comply a second time must have his benefits terminated for at least 3 months, with refusal a fourth time leading to permanent termination. DSS also must seek federal funds for a demonstration project in these 4



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counties using the concept of entrepreneurial development to create jobs and provide incentives for AFDC clients to attain self-sufficiency and independence (i.e., provide clients with job skills and opportunities to develop expertise in operating businesses, allow clients to buy stock in a business, etc.). DSS and the Department of Commerce must develop a demonstration project in those 4 counties which offers incentive packages to industries in an effort to obtain employment for AFDC clients. Additionally, to assist AFDC families in these pilot project counties in moving off welfare and becoming more financially independent, DSS is to apply for federal waivers (1) allowing DSS to disregard 50 percent (instead of the current 33-1/3 percent for only 4 months) of a family's total gross income until the remaining 50 percent exceeded the amount of income allowed for AFDC eligibility; and (2) increasing the assets a family may have from \$1,000 to \$3,000.

With regard to parental responsibility, for purposes of strengthening and supporting families, DSS is directed to seek a federal waiver to eliminate the "parental deprivation" (i.e., "no daddy") rule, which deems a family ineligible for AFDC benefits if both parents live in the home and neither is disabled. DSS also must expand its Teen Companion Program, a Medicaid-funded project in which professional staff and AFDC mothers counsel at-risk youth about the problems associated with teen pregnancy and the difficulties of teenage parenthood. The DSS Work Support Program must include classes on parenting skills and daily living skills (such as money management, family relationships, etc.); DHEC must obtain additional health educators and other workers to provide to provide AFDC clients with greater access to family planning counseling and is urged to pursue its federal waiver extending Medicaid planning service eligibility up to 24 months after childbirth. Also, to promote responsible parenting, requires the concept of family planning be expanded beyond methods of contraception to include more education about reproductive health, sexually-transmitted diseases (with an emphasis on AIDS education), and other health-related matters. DHEC is to assist and encourage state agencies and private sector health care professionals to provide this expanded information.

Member of General Assembly Cannot Be Elected to Salaried Office or Position Filled by Vote of the General Assembly While Still a Member (H. 3374, Rep. Cromer). This bill prohibits any member of the General Assembly from being elected to a salaried office or position which is filled by vote of the General Assembly. A member of the General Assembly is deemed to have resigned his seat when he is declared eligible, after screening, for the office or position sought. For purposes of this prohibition, a "salaried office or position" is one in which a person receives compensation for services rendered but does not include receipt of per diem, mileage or subsistence received in the performance of duties.

All Regulations Must Be Approved by the General Assembly (H. 3375, Rep. Townsend). This bill requires regulations to be enacted by the General Assembly (as currently opposed to regulations being submitted for



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review to the General Assembly). To initiate the process of enactment, the agency, as it currently does now for review, would submit the regulation, synopsis, fiscal impact statement, etc. to the Speaker of the House and President of the Senate, whom upon receipt would have the regulation prepared as a bill for introduction and upon reduction would refer the bill for consideration to the appropriate standing committee in each chamber. All House and Senate rules and provisions of law applicable to enactment of statutory law also would apply to enactment of regulations. Just as in the case of review, enactment of regulations would not be required for regulations promulgated (1) to maintain compliance with federal law; (2) by the State Board of Financial Institutions to authorize state-chartered banks, savings and loans and credit unions to engage in various activities; or (3) by the Department of Revenue and Taxation to maintain conformity with the Federal Internal Revenue Code. The bill also deletes provisions for promulgation of emergency regulations.

No State Agency or Department May Promulgate Regulations Unless Its Governing Body Has Been Elected, Appointed or Confirmed by Advice and Consent of the General Assembly (H. 3376, Rep. Townsend). This bill prohibits a state agency or department from promulgating regulations if its governing body or board has not been elected or appointed by the General Assembly or confirmed by advice and consent of the General Assembly. Under these provisions, instead of promulgating a regulation, state agencies and departments must recommend to the appropriate standing committees of the General Assembly having jurisdiction of the agency or department the needed change in state law to accomplish the purpose of the regulation.

These provisions would go into effect upon approval of the governor; regulations promulgated by these agencies and departments before this act's effective date continue in full force and effect.

Commitment of Status Offenders (H. 3380, Rep. Lanford; and H. 3389, Rep. Phillips). Current law prohibits a child who is guilty of a "status offense" (i.e., violation of law or other misconduct which would not be a criminal offense if committed by an adult) from being committed to custody of a correctional institution operated by the Department of Juvenile Justice or to secure evaluation centers operated by that Department. These identical bills, however, would allow a such a commitment to a secure evaluation center for an indeterminate period not to exceed 45 days for purposes of evaluation.

General Assembly May Delegate Matters Relating to Disciplining of Members (H. 3383, Rep. Cromer). This proposed constitutional amendment would authorize the General Assembly to delegate matters relating to disciplining of its members to the appropriate executive branch agency.

Equitable Apportionment of Marital Property (H. 3385, Rep. Kirsh). This bill prohibits an order for divorce a vinculo matrimonii (i.e., complete dissolution of marriage contract) from being issued before the

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resolution and distribution of all claims for apportionment of marital property, except as otherwise provided by the Family Court.

Family Court May Not Prohibit Custodial Parent from Moving Within or Outside State (H. 3386, Rep. Kirsh). This bill prohibits the Family Court from issuing an order that would forbid a custodial parent from moving his residence to a location within or outside of South Carolina.

## LABOR, COMMERCE AND INDUSTRY

Restrictions on Location of Bingo Games (H. 3371, Rep. McMahan). This bill prohibits establishments where Class "AA" or Class "B" bingo games are conducted from being located within 5 miles of each other, with this distance computed by following the shortest route of vehicular travel along a public road from the front door of each establishment. Where establishments are not in compliance with this restriction, the Department of Revenue and Taxation must require license-holder organizations to relocate games based on the length of time the organization has occupied the same premises for the game (with the location used continuously by the same organization the longest allowed to remain). Any organization failing to comply with this distance requirement must have their license revoked by the Department.

Regulation of Retail Sale of Beer by the Keg (H. 3372, Rep. Fair). This bill lists provisions by which a holder of a permit authorizing the sale of beer by keg and who sells beer by the keg must comply, as follows:

---Requires each keg in inventory to have an individually-numbered band attached to the handle or neck. The retailer must maintain a journal in which is recorded the name, address, date of birth, driver's license number of the person obtaining the keg, keg band number, and the exact time and location the keg is to be used. Journal entries must be retained by the retailer for at least 6 months and are subject to review by law enforcement officers at any time.

---Retailer must require a deposit of at least \$50 (paid by cash, check or credit card) for the keg's return. If a keg is not returned with the same keg number band intact, then the deposit is forfeited to the retailer, who must inform the person obtaining the keg of this deposit forfeit policy.

The bill also provides that expenses of complying with these provisions must be passed directly to the consumer in the price of a keg of beer. Any violation of these provisions is a ground for revocation or suspension of the retailer's permit (with these provisions being cumulative to all requirements regulating retail sales and purchases of beer).



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**Good Friday a Holiday for Banks and Savings and Loans** (H. 3378, Rep. Townsend). Current state law provides that holidays for banks and savings and loan institutions in this State are those holidays observed by the Federal Reserve Bank. This bill would add the Friday immediately before Easter Sunday ("Good Friday") to the list of holidays to be observed by banks and savings and loans institutions.

**Tobacco Products Cannot Be Sold on Credit** (H. 3379, Rep. Law). This bill permits tobacco products (such as cigarettes, cigars and chewing tobacco) to be sold only by use of money, checks, money orders, or an approved debit or credit card. A person is in violation of these provisions if he issues a check or debit or credit card with insufficient funds available. Anyone purchasing or selling tobacco products in violation of these provisions, upon conviction, must be fined not more than \$200 or imprisoned not more than 30 days. These provisions apply to all sales of tobacco products except for sales from the producer or farmer of the tobacco to the manufacturer.

**Location of Businesses Selling Alcoholic Liquors** (H. 3384, Rep. Cromer). Current law prohibits an establishment from being licensed to sell alcoholic liquors near a church, school or playground (with "near" meaning a location within 300 feet of those places in a municipality or within 500 feet of those sites outside a municipality). This bill deletes any distinction between location of such business inside or outside the municipality, so that the establishment selling alcoholic liquors must be located at least 500 feet from the church, school or playground regardless of whether the business is located inside or outside the municipality. The bill revises the way in which this distance is measured, such that in computing the distance by following the shortest route of ordinary pedestrian or vehicular traffic along the public thoroughfare from the nearest point of the grounds of the church, school or playground, the distance from the grounds must be measured regardless of where the church, school or playground actually is situated on the grounds (i.e., must be measured from the nearest point of the church property, as opposed to the nearest point of the church building). This new distance restriction, however, does not apply to renewal of licenses existing on July 1, 1995 or to locations in existence on that date.

**Elimination of Recoupment Fees** (H. 3387, Rep. Felder). This bill deletes provisions which mandate the inclusion of recoupment fees on auto insurance policies in South Carolina.

## MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

**Creation of Governor's Commission on Socially Disadvantaged Black Males** (H. 3381, Rep. J. Brown). This joint resolution establishes the South Carolina Governor's Commission on Socially Disadvantaged Black

## Legislative Update, January 31, 1995

Males, the purpose of which is to study the education and economic and health survival of black males. This commission consists of 25 members selected by the governor from elected officials, civic and community leaders, and representatives of the employment, criminal justice, education and health communities. Members will receive no compensation for their service. Directors of the following departments---Economic Development; Health and Environmental Control; Social Services; Labor, Licensing and Regulation; and Education---along with the Commission on Higher Education, must provide physical facilities, staff and services to the commission as needed to discharge its duties.

In studying these problems, the Commission must oversee 4 separate and distinct subcommittees devoted to solving problems and advancing recommendations exclusively pertinent to black males in the areas of unemployment, criminal justice, education and health; conduct research to determine the nature/extent of problems concerning black males in those areas; hold public hearings to collect data; identify existing federal, state and local programs addressing problems and solutions relevant to the targeted study areas; implement appropriate new programs and demonstration projects; develop and implement community education and public awareness programs especially designed for black males; and develop strategies to improve the social condition of the black male.

The Commission must submit a preliminary report of its activities, findings and recommendations to the General Assembly and Governor within the first 6 months of its existence and a final, published report to the General Assembly and Governor by March 1, 1996, after which time the commission is abolished.

Applicants for Marriage License Must Provide Proof of Testing for Sexually-Transmitted Diseases (H. 3382, Rep. Keyserling). This bill requires an applicant for a marriage license to present to the probate judge (or, in Darlington and Georgetown Counties, to the clerk of court) a certificate signed by a licensed physician that the applicant has been given a standard serologic test for sexually transmitted diseases (such as for HIV infection). The certificate also must be signed by the person the applicant desires to marry, and this test must be made within 30 days before applying for the license. The bill makes it a misdemeanor (punishable upon conviction by a fine of not more than \$500 or imprisonment of not more than 30 days) for a probate judge or clerk of court to issue a marriage license to a person who does not present this certificate, or for the applicant to knowingly and wilfully make a false statement on the certificate.

Creation of Reserve Detention Officer Program (H. 3403, Rep. Keyserling). This bill authorizes the appointment of "reserve detention officers" (hereafter called "reserves"), defined as anyone assigned part-time jailer or detention officer duties without being assigned to full-time jailer or detention officer duties and who serves without compensation in that capacity. Under these provisions, the manager



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operating a local detention facility may appoint the number of reserve detention officers as approved by a sheriff, city manager or other official, so long as the number of these reserves does not exceed the number of regular full-time jailers or detention officers funded and employed by the facility. Additionally, the number of full-time jailers or detention officers cannot be reduced because of institution or expansion of a reserve force. Powers and duties of a reserve must be prescribed by the facility manager and approved by the sheriff, city manager or other appropriate authority.

The bill lists several requirements to be met to qualify to be a reserve. A person seeking to engage in this position must take an oath of office; be bonded in an amount determined by the local governing body (in an amount not less than \$1,500); submit to a physical examination; complete a jail pre-service training program approved by the Department of Public Safety and pass a comprehensive test prepared by the South Carolina Criminal Justice Academy. Within 1 year of appointment, the reserve must successfully complete a jail operations training program promulgated by the Department of Public Safety in order to be eligible for continuation as a reserve, and reserves serving more than 1 year must complete the same annual in-service training requirements as regular full-time jailers or detention officers. Local political entities may impose additional requirements as well. A reserve may function as a jailer or detention officer only on specific orders and directions of the facility manager, and in order to maintain status, the reserve must perform a minimum logged service time of either 10 hours each month or 30 hours each quarter. Reserves must wear uniforms identifying them as jailers or detention officers and may be provided worker's compensation benefits by the governing body in the same manners as benefits are provided for full-time jailers or detention officers.

The bill also lists requirements which must be met if reserves wish to become full-time jailers or detention officers and if full-time jailers or detention officers wish to enter reserve status.

Lifeguards Not Required at Certain "Natural Swimming" Areas (H. 3406, Rep. Kirsh). This bill provides that no owner or lessee of a "natural swimming area" which is used only by guests of the owner or lessee may be required to have a lifeguard present at the swimming area. For these purposes, a "natural swimming area" is a swimming area located on a water body (such as a stream, lake, pond or reservoir) which meets quality standards for Class A waters as defined in the Water Classification Standards System for the State of South Carolina and includes reservoirs that may have been designed for a specific purpose other than swimming or recreation (such as for hydroelectric utility usage, nuclear power generation and cooling water storage).

## WAYS AND MEANS

State Employees May Use More Than 30 Days Annual Leave in a Year (H. 3343, Rep. Rogers). This bill deletes a provision which prohibits state employees from using more than 30 days' annual leave in any 1 calendar year.

Career Implement Pay Plan for Classified State Employees (H. 3344, Rep. Rogers). This bill requires the State Budget and Control Board to develop and implement a career increment pay plan for classified state employees. This plan must provide for longevity base pay increases for these employees. These increases, for which employees would be eligible annually, are in addition to any other increases provided by the General Assembly. The plan must provide for increases limited to 15 steps of equal percentage, from the minimum to the maximum salary for each pay grade. Each classified employee must receive this increment on his anniversary date, provided the employee's performance rating is at least a satisfactory rating. Employees must continue to receive these increments annually based on their annual performance evaluations.

The bill prohibits pay increments from being given if that would result in exceeding the maximum salary for the employee's pay grade, or from being given during a period of time that an employee's performance evaluation is less than a satisfactory rating.

South Carolina Tuition Payment Plan (H. 3346, Rep. Sharpe). This bill requires the State to pay the tuition of a student who enrolls as an undergraduate in a public institution of higher learning if the student applies for tuition payment and meets the following requirements: (1) has resided in South Carolina during the 24 months preceding enrollment; (2) has a parent or guardian domiciled in this State; (3) has graduated from high school within 2 years preceding application for these payments with a GPA of at least 2.5; (4) has successfully completed 17.5 units of high school coursework [core curriculum]; (5) has a combined SAT score of at least 800 or combined score on the ACT (American College test) of at least 18; (6) has no criminal record; (7) is found to be in need of financial aid. The bill also allows a public institution to admit a student who qualifies for these tuition payments if he meets at least two of the requirements listed in items (3) through (5) above (i.e., meets a combination of the GPA, core curriculum and SAT/ACT requirements) and fails to meet eligibility for a third by an amount not greater than 10 percent. However, the total number of students who do not meet all the eligibility requirements of items (3-5) cannot exceed 10 percent of the total number of students admitted the previous year who received these tuition payments.



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In order to continue receiving state payment of tuition, a student must make steady academic progress toward a degree; maintain full-time enrollment standing for at least 2 semesters or 3 quarters in an academic year; rank in the upper half of his class at the institution; and have no criminal record. No student may receive a grant in an amount greater than tuition charged by the institution. Any student receiving these payments who does not obtain the degree within 6 years of receiving the first payment or does not maintain full-time enrollment standing for an academic year must repay the tuition amounts he has received to the Commission.

These provisions are to be administered by the Commission on Higher Education, which must promulgate regulations by which students are informed of this program and applications and similar materials. The Commission, on a case by case basis, also may waive the requirement that a student receiving tuition payment not have a criminal record.

The General Assembly is required to appropriate funds to meet these initial and continuing tuition payment requirements, and if funding is insufficient, payments must be proportionately reduced or eliminated, as the Commission considers necessary. In addition to State funding, the Commission may accept and expend funds from any source, including private contributions.

**Veterans' Trust Fund (H. 3364, Rep. Tucker).** This bill is identical to H. 3295, introduced two weeks ago, establishing the Veterans' Trust Fund of South Carolina. Resources of this fund must be dedicated to serving the needs of the State's veterans by supporting programs (both public and private) for them. The fund may support veteran service programs by direct funding or through donation of property and services. This fund may supplement and augment, but must not take the place of, services provided by state agencies. In order to carry out the activities to administer the Fund, this bill creates an 11-member board of trustees, of whom 1 member must be the director (or his designee) of the Veterans' Affairs Division and 10 members must be appointed by the governor, with the advice and consent of the Senate. All trustees must be veterans of the U.S. Armed Forces, with honorable discharges. The governor's appointees serve 4-year terms, and no member may serve the greater of 2 terms or 8 continuous years.

The bill lists the duties and functions of the board, which include, among others, assessing the needs of veterans and developing goals and objectives for the Trust Fund; acquiring and holding property; accepting gifts, grants and bequests; employing a director and other staff necessary to carry out functions of these provisions; and entering into contracts for awarding of grants to public or private nonprofit organizations.

No more than 50 percent of amounts deposited in the fund each year from contributions plus earnings from investment of monies of the fund credited during the previous year (after allowing for operating expenses) may be disbursed until assets of the fund exceed \$3 million. When the \$3

### **Legislative Update, January 31, 1995**

million figure is surpassed, all credited earnings plus all future annual deposits to the fund plus contributions are available for disbursement upon authorization of the board of trustees.

The bill also allows persons filing a South Carolina income tax return to designate a contribution to this fund, with this contribution neither increasing nor decreasing the taxpayer's income tax liability. The Department of Revenue and Taxation must determine annually contributions made on the income tax filings to this fund and transfer the total amount to the fund at the earliest possible time.

**Information Which Must Be Included When Department of Transportation Submits Its Annual Budget to the General Assembly** (H. 3377, Rep. Townsend). This bill requires the Department of Transportation to submit in its annual budget to the General Assembly all highway projects scheduled for or in the process of completion. These projects must be completed before initiation of a project not included in the budget as submitted, except in cases of emergency circumstances or when emergency maintenance is needed because of clear and present danger to the public. The Department also is required to use due diligence in completing each project submitted for completion (unless the project is removed by legislative enactment). Finally, the bill prohibits fees for preliminary engineering services from being paid until the project is completed.

**Property Tax Exemption for Boats and Motors Valued Below Certain Amount** (H. 3401, Rep. Witherspoon). This bill provides a property tax exemption for boats and motors which are valued below the amount determined by the county auditor necessary to generate a tax bill equal to actual expenses of assessing and collecting the tax.

**Gross Proceeds of Sales Redefined for Purposes of State Sales Tax** (H. 3402, Rep. Keyserling). This bill provides that "gross proceeds of sales," for purposes of application of the State's Sales and Use Tax, does not include fees imposed on the sale of motor oil, new tires, lead-acid batteries and white goods pursuant to the South Carolina Solid Waste Policy and Management Act of 1991.

**Residency Requirement for Purposes of Homestead Exemption** (H. 3404, Rep. McAbee). Current law provides for a 1-year residency requirement (among other things) in order to qualify for the homestead exemption. This bill provides that this residency requirement can be met at any time during the first tax year for which the exemption is claimed and clarifies that the exemption application may be filed at any time before the first penalty date on property taxes for that tax year for which the exemption is claimed.

**Residential Property Exempt from School Operating Taxes, and Increase in Sales Tax from 5 to 6 Percent** (H. 3409, Rep. Walker). This bill would increase the state sales and use tax rate from 5 percent to 6 percent, with the increase, however, not applying to items subject to the



## Legislative Update, January 31, 1995

maximum \$300 sales tax cap (such as for sale or lease of motor vehicles and boats). This revenue would be used to exempt residences from school operating taxes, though residences would still be subject to school taxes levied for debt service and lease-purchase agreements for school construction and renovation. \$2,500 of the fair market value of a motor vehicle also would be exempt from school operating taxes. The residential exemption from school operating taxes could not be removed except upon a two-thirds vote of each house of the General Assembly. In addition to replacing school district revenues resulting from this exemption, the 1 percent increase must first be used to raise the state share of the foundation program to 80 percent; pay 100 percent of defined minimum plan school district employer contributions; and pay 100 percent of school district school bus driver salaries and associated employer contributions. The General Assembly must appropriate sufficient funds to reimburse school districts for revenue loss resulting from this exemption, less any increase a district receives for increases in the Education Finance Act or employer contributions above the FY 1994-95 level. This increase is based on revenue loss associated with FY 1995-1996.

The bill also prohibits school tax millage levied for operating purposes from being increased faster than the rate of increase of the consumer price index, beginning with school year 1995-1996. On an annual basis, each school district must submit to the Division of Research and Statistical Services of the Budget and Control Board the millage limitation and the amount of property tax revenue collected.

If adopted, these provisions would be effective July 1, 1995, applying with respect to real property tax years beginning after 1994 and motor vehicle property tax years beginning after June of 1995.

## WITHOUT REFERENCE

Supplemental Appropriations from FY 1993-1994 Surplus Revenues (H. 3361, House Ways and Means Committee). This joint resolution appropriates approximately \$39 million from the general fund from Fiscal Year 1993-1994 surplus revenues, as follows:

Budget and Control Board, Div. of Operations	
(Renovations of State House).....	\$17,000,000
Coordinating Council for Economic	
Development (Econ. Dev. Projects).....	\$5,000,000
Technical Education Commission	
(Special Schools).....	\$3,775,731
Guardian Ad Litem (Operating).....	\$200,000
Forestry Commission	
(Firefighting Equipment).....	\$4,600,000

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**Department of Corrections**

(Ridgeland Correctional Institution).....	\$3,129,908
Clemson PSA (Garrison Livestock Arena).....	\$1,900,000
John De La Howe School (Sewer Repairs).....	\$425,000
Higher Education Formula.....	\$2,756,993

<b>TOTAL SURPLUS APPROPRIATIONS:</b>	<b>\$38,787,632</b>
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This joint resolution also permits unexpended funds appropriated pursuant to these provisions to be carried forward to succeeding fiscal years and expended for the same purposes.



## **Legislative Update, January 31, 1995**

### **PROFILE OF NEW HOUSE OFFICERS AND COMMITTEE CHAIRMEN**

On December 6 and 7 last year, the House, as required by the State Constitution, met for organizational purposes---to elect officers and committee chairmen, receive committee assignments, and adopt rules for the House. With a number of persons assuming new offices or committee chairmanships for the first time last month, this Update lists brief profiles of new House officers and committee chairmen to better acquaint readers with these changes.

#### **Speaker of the House**

Representative David Wilkins of Greenville was elected by acclamation to this position. A native of Greenville, Speaker Wilkins is a graduate of Clemson University and the University of South Carolina School of Law. First elected to the House in 1980, he served as chairman of the House Judiciary Committee between 1986 and 1992 and was elected Speaker Pro Tempore for the House's 1993-1994 session. He represents House District #24, which covers a portion of the City of Greenville.

#### **Speaker Pro Tempore of the House**

Representative Terry Haskins succeeds Representative Wilkins in this position. Also a native of Greenville, Representative Haskins is a graduate of Bob Jones University and the University of South Carolina School of Law. He served on Greenville City Council prior to his election to the House in 1986. Representative Haskins served as House Minority Leader between 1988 and 1992 and served on the House Judiciary Committee during the 1993-1994 session. He represents House District #22, which covers a portion of central Greenville County.

#### **Agriculture, Natural Resources and Environmental Affairs Committee**

Representative Charles Sharpe is the new committee chairman. Representative Sharpe attended Georgia Tech and Midlands Technical College and is involved in the real estate business. First elected to the House in 1984, Representative Sharpe has since his election served on the Agriculture, Natural Resources and Environmental Committee. Residing in the town of Wagener (Aiken County), he represents House District #86, which covers much of eastern and southwestern Aiken County and a small portion of Orangeburg County.

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### **Education and Public Works Committee**

Representative Ronald Townsend of Anderson is this committee's new chairman. A native of Anderson, Representative Townsend is a graduate of Clemson University and is a businessman. Elected to the House in 1984, he has since served on the Education and Public Works Committee. Representative Townsend represents House District #7, which includes southeastern Anderson County.

### **House Legislative Ethics Committee**

Representative Becky Meacham is the new committee chairwoman. A native of the town of Chester, Representative Meacham is a graduate of Limestone College and was elected to the House in 1990. Since her election to the House, she has served on the House Agriculture, Natural Resources and Environmental Affairs Committee. Representative Meacham was elected from House District 48, which includes northeastern York County in and around the town of Fort Mill (on the border with North Carolina).

### **Interstate Cooperation Committee**

Representative Marion Carnell of Ware Shoals was selected to chair this committee for another term. A native of Ware Shoals, he is a retail merchant who has served longer in the House than any other current member, in office from 1961 through 1964 and returning to the House in 1966, serving continuously since that time. Representative Carnell also has been appointed to the House Ways and Means Committee for the 1995-1996 session. He represents House District #14, which includes portions of Abbeville, Greenwood and Laurens Counties.

### **Invitations and Memorial Resolutions Committee**

Representative Richard Quinn is this committee's new chairman. A native of Columbia, Representative Quinn attended the University of South Carolina and was elected to the House in 1988. He serves as vice president of Richard Quinn and Associates. Representative Quinn also will be serving on the House Ways and Means Committee for the 1995-1996 session. His district is House District #71, which includes most of northwestern Richland County north of Interstate 20 and west of the Broad River.



## **Legislative Update, January 31, 1995**

### **Judiciary**

Representative James Harrison is the new committee chairman. A native of Greenwood, he is a graduate of The Citadel and the University of South Carolina School of Law. Prior to his election to the House in 1989, Representative Harrison served as general counsel to the South Carolina Alcoholic Beverage Control Commission. He represents House District #75, which mostly includes the southeastern neighborhoods of Columbia.

### **Labor, Commerce and Industry**

Representative Harry Cato is the new committee chairman. A native of Greenville, he is a businessman who manages a transportation supply company. A graduate of Clemson University, he served on the City Council of the town of Travelers Rest (in Greenville County) from 1986 to 1990 and was elected to the House in 1990. Representative Cato served on the House Labor, Commerce and Industry Committee during the 1993-1994 session. He represents House District #17, which covers most of northern Greenville County immediately bordering North Carolina.

### **Medical, Military, Public and Municipal Affairs**

Representative Joe Brown of Columbia is the new committee chairman. A native of Anderson County, he is a graduate of Allen University and South Carolina State University and has done post-graduate work at the University of South Carolina. A retired public school administrator, Representative Brown was first elected to the House in 1986. He was also elected chairman of the Legislative Black Caucus in 1992. Representative Brown represents House District #73, which includes portions of the northern part of Columbia along Interstate 20 and areas along the western portion of the Broad River in Richland County.

### **Operations and Management of the House**

Representative Lewis Vaughn is the new committee chairman. A Greenville native, he is a graduate of Draughon's Business College and is a businessman residing in the town of Taylors. Elected to the House in 1988, Representative Vaughn has served on the House Ways and Means Committee. He represents House District #18, which includes parts of eastern Greenville County and a portion of western Spartanburg County.

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### **Rules**

Representative Tom Huff is the new committee chairman. Born in Augusta, Georgia, he is a graduate of USC-Aiken, Augusta College and the University of South Carolina School of Law. Elected to the House in 1978, he served on the House Judiciary Committee during the 1993-1994 session. His House District is #83, which includes the northwestern tip of Aiken County in and around the City of North Augusta and the western portion of adjoining Edgefield County.

### **Ways and Means**

Representative Henry Brown is this committee's new chairman. Born in the Lee County town of Bishopville, he is a businessman who attended The Citadel and Baptist College of Charleston. Before his election to the House in 1985, Representative Brown served on the City Council of Hanahan in Berkeley County. He served on the House Ways and Means Committee during the 1993-1994 session. Representative Brown's District is #99, which includes the southern portion of Berkeley County in and around Hanahan.

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**House Committee Assignments Can Be Found Beginning on Next Page.**



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**HOUSE COMMITTEE ASSIGNMENTS FOR 1995-1996**

**(Party Affiliation Listed in Parenthesis;)**

**(D=Democrat; R=Republican; I=Independent)**

**Agriculture, Natural Resources and Environmental Affairs (18 Members)**  
**(411 Blatt Bldg., Telephone 734-3022)**

Chairman: Charles Sharpe (R)  
Chairman Emeritus: Thomas Rhoad (D)  
First Vice Chairman: Becky Meacham (R)  
Second Vice Chairman: Curtis Inabinett (D)  
Secretary: Molly Spearman (D)

William Clyburn (D)	Dewitt McCraw (D)
Thomas Dantzler (R)	Rex Rice (R)
Ralph Davenport (R)	John Riser (R)
Michael Easterday (R)	Lynn Seithel (R)
R.J. Herdklotz (R)	Timothy Wilkes (D)
Jesse Hines (D)	William Witherspoon (R)
William Keyserling (I)	

**Education and Public Works (18 Members)**  
**(429 Blatt Bldg., Telephone 734-3053)**

Chairman: Ronald Townsend (D)  
First Vice Chairman: David Wright (R)  
Second Vice Chairman: Alma Byrd (D)

Merita Allison (R)	Lanny Littlejohn (R)
Ralph Anderson (D)	Willie McMahan (D)
Bradley Cain (R)	Olin Phillips (D)
Daniel Cooper (R)	Harry Stille (D)
Michael Fair (R)	Eugene Stoddard (D)
Michael Jaskwhich (R)	Elsie Rast Stuart (R)
Mark Kelley (R)	Robert Walker (R)
Kenneth Kennedy (D)	

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**House Legislative Ethics (6 Members)**  
**(519 Blatt Bldg., Telephone 734-3114)**

Chairman: Becky Meacham (R)  
Vice Chairman: Denny Neilson (D)  
Secretary: Mark Kelley (R)  
Treasurer: Donald Beatty (D)

Roland Smith (R)  
Robert Walker (R)

**Interstate Cooperation (5 Members)**  
**(522 Blatt Bldg., Telephone 734-3108)**

Chairman: Marion Carnell (D)  
First Vice Chairman: Woodrow McKay (I)  
Second Vice Chairman: Charles Sharpe (R)  
Secretary: Curtis Inabinett (D)  
Treasurer: Grady Brown (D)

**Invitations and Memorial Resolutions (5 Members)**  
**(518 Blatt Bldg., Telephone 734-3107)**

Chairman: Richard Quinn, Jr. (R)  
Vice Chairman: Ralph Canty (D)  
Secretary-Treasurer: James Klauber (R)

Dewitt Williams (D)  
William Witherspoon (R)

(Committee Assignments Continued on Next Page)



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**Judiciary (25 Members)**  
**(512 Blatt Bldg., Telephone 734-3120)**

Chairman: James Harrison (R)  
First Vice Chairman: John Tucker, Jr. (D)  
Second Vice Chairman: Paula Thomas (R)

Michael Baxley (D)	Douglas Jennings, Jr. (D)
Donald Beatty (D)	James Klauber (R)
Bill Cotty (R)	John Knotts, Jr. (R)
James "Bubba" Cromer (I)	Hunter Limbaugh (R)
F.G. Delleney, Jr. (D)	Morgan Martin (D)
Ronald Fleming (R)	Joseph McElveen, Jr. (D)
Jerry Govan, Jr. (D)	John Scott, Jr. (D)
Hicks Harwell (D)	June Shissias (R)
James Hodges (D)	W. Douglas Smith (R)
Heyward Hutson (R)	Sandra Wofford (R)
Thomas Huff (R)	Jeffrey Young (R)

**Labor, Commerce and Industry (18 Members)**  
**(407 Blatt Bldg., Telephone 734-3015)**

Chairman: Harry Cato (R)  
First Vice Chairman: Grady Brown (D)  
Second Vice Chairman: Annette Young (R)

George Bailey (D)	Rudolph Mason (R)
Larry Elliott (D)	Denny Neilson (D)
Margaret Gamble (R)	Scott Richardson (R)
Jean Harris (D)	Gary Simrill (R)
Herbert Kirsh (D)	Teddy Trotter (R)
James Law (R)	Lucille Whipper (D)
H.B. Limehouse, 3d (R)	Dewitt Williams (D)
	Harold Worley (R)

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**Medical, Military, Public and Municipal Affairs (18 Members)**  
**(425 Blatt Bldg., Telephone 734-3046)**

Chairman: Joe Brown (D)  
First Vice Chairman: Joseph Neal (D)  
Second Vice Chairman: Walter Lloyd (D)  
Third Vice Chairman: Bill Sandifer (R)  
Secretary: Bessie Moody-Lawrence (D)

Harry Askins (D)	Douglas McTeer, Jr. (D)
Floyd Breeland (D)	Timothy Rogers (D)
Theodore Brown (D)	Dan Tripp (R)
Ralph Canty (D)	Dave Waldrop, Jr. (R)
Wilbur Cave (D)	Mickey Whatley (R)
Leon Howard (D)	Jackson Whipper (D)
	Donny Wilder (D)

**Operations and Management of the House (7 Members)**  
**(534 Blatt Bldg., Telephone 734-3141)**

Chairman: Lewis Vaughn (R)  
First Vice Chairman: Merita Allison (R)  
Second Vice Chairman: George Bailey (D)  
Secretary/Treasurer: Thomas Keegan (R)

Gilda Cobb-Hunter (D)  
Lanny Littlejohn (R)  
Bill Riser (R)

**Ex-Officio Members:**  
David Wilkins (R-Speaker)  
Terry Haskins (R-Speaker Pro Tempore)  
Sandy McKinney (Clerk of the  
House)



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**Rules (15 Members)**  
**(519 Blatt Bldg., Telephone 734-3113)**

Chairman: Thomas Huff (R)  
First Vice Chairman: Douglas Smith (R)  
Second Vice Chairman: Lucille Whipper (D)

Daniel Cooper (R)  
Ralph Davenport (R)  
Michael Fair (R)  
John Felder (D)  
Michael Jaskwhich (R)  
Douglas McTeer (D)

Scott Richardson (R)  
John Scott, Jr. (D)  
Gary Simrill (R)  
Paula Thomas (R)  
John Tucker, Jr. (D)  
Sandra Wofford (R)

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